

FIFTH DAY

(Monday, January 20, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Halsey
Allen	Hanna
Allison	Hargis
Avant	Harris of Dallas
Bailey	Harris of Hill
Baker	Hartzog
Bean	Heflin
Bell	Helpinstill
Benton	Henderson
Blankenship	Hileman
Boone	Hobbs
Brawner	Howington
Bridgers	Hoyo
Brown	Huddleston
Bruhl	Huffman
Bullock	Hughes
Bundy	Humphrey
Burkett	Hutchinson
Burnaman	Isaacks
Carlton	Jones
Carrington	Kelly
Cato	Kennedy
Celaya	Kinard
Chambers	King
Clark	Klingeman
Cleveland	Knight
Coker	Lansberry
Colson, Mrs.	Lehman
Connelly	Leyendecker
Crossley	Little
Crosthwait	Lock
Daniel	Love
Davis	Lowry
Deen	Lucas
Dickson of Bexar	Lyle
Dickson of Nolan	McAlister
Dove	McCann
Duckett	McDonald
Evans	McGlasson
Ellis	McLellan
Eubank	McNamara
Favors	McMurry
Ferguson	Manford
Files	Manning
Fitzgerald	Markle
Fuchs	Martin
Gandy	Matthews
Garland	Mills
Gilmer	Montgomery
Goodman	Moore

Morgan	Sharpe
Morris	Shell
Morse	Simpson
Murray	Skiles
Nicholson	Smith of Bastrop
Pace	Smith of Atascosa
Parker	Spacek
Pevehouse	Spangler
Phillips	Stanford
Price	Stinson
Rampy	Stubbs
Reed of Bowie	Voigt
Reed of Dallas	Walters
Ridgeway	Wattner
Roark	Weatherford
Roberts	White
Rhodes	Whitesides
Sallas	Winfree
Senterfitt	

Absent—Excused

Alsup	Howard
Anderson	Kersey
Bray	Taylor
Craig	Thornton
Donald	Turner
Dwyer	Vale
Hardeman	

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain.

LEAVES OF ABSENCE
GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Alsup for today and the balance of the week on account of important State business, on motion of Mr. Manning.

Mr. Craig for today on motion of Mr. Favors.

Mr. Bray and Mr. Donald for today on motion of Mr. McMurry.

Mr. Thornton for today on motion of Mr. Lowry.

Mr. Anderson for today on motion of Mr. Winfree.

Mr. Howard for today on motion of Mr. Hartzog.

Mr. Dwyer for today on motion of Mr. Nicholson.

Mr. Hardeman for today on motion of Mrs. Colson.

Mr. Kersey for today and the bal-

ance of the week on account of important State business, on motion of Mr. Moore.

Mr. Vale for today on motion of Mr. Celaya.

Mr. Taylor for today on account of military service, on motion of Mr. McAlister.

The following member was granted leave of absence on account of illness:

Mr. Turner for today on motion of Mr. Lehman.

MESSAGE FROM THE SENATE

Austin, Texas, January 20, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the following:

H. C. R. No. 12, Inviting the Honorable T. V. Smith to address a Joint Session of the Legislature on Monday, January 27, 1941.

H. C. R. No. 13, Honoring the memory of Honorable Walter C. Woodward, former Member of the Texas Senate.

Respectfully,

BOB BARKER,

Secretary of the Senate.

(Mr. Reed of Dallas in the Chair.)

NAMING W. T. McDONALD, JR., MASCOT OF THE HOUSE

Mr. Knight offered the following resolution:

H. S. R. No. 52, Naming W. T. McDonald, Jr., Mascot of the House.

Whereas, W. T. McDonald, Jr., eleven month old son of the Honorable and Mrs. W. T. McDonald of Bryan, Texas, will make a worthy Mascot of the House of Representatives of the Forty-seventh Legislature; and

Whereas, He is the son of a distinguished Member of the House of Representatives, who is now serving his third term in the Texas House of Representatives; now, therefore,

Be it resolved, That he be named as Mascot of the House of Repre-

sentatives and that his picture be placed on the group picture when same is made.

The resolution was read second time and was adopted.

PROPOSED AMENDMENT TO THE HOUSE RULES

Mr. Halsey offered the following resolution:

H. S. R. No. 55, Relative to Extending Broadcasting Privileges of the House.

Whereas, The Texas State Network has made available a fifteen minute program each day, Mondays through Fridays, beginning at 1:45 p. m., which will be devoted to a discussion by Members of the House of Representatives of current problems before the Legislature; and, whereas, This program will be under the direction of Cottonseed Clark Fulks, and, whereas, Mr. Fulks is an experienced radio master of ceremonies and can render the people of Texas a valuable service by bringing to them this program of information;

Now, therefore, be it resolved by the House of Representatives, That the State-wide broadcasting stations, known as the Texas State Network, be permitted to install a portable radio microphone equipment in a convenient corner of the Texas House of Representatives for the purpose of broadcasting said program, and be it further resolved That Mr. Fulks be extended the privileges of the floor extended duly accredited news reporters.

HALSEY,
SIMPSON,
BULLOCK.

The resolution was read second time.

Mr. Morris raised a point of order on further consideration of the resolution at this time, on the ground that the resolution is an amendment to the House Rules and should be referred to the Committee on Rules.

The Chair sustained the point of order and referred the resolution to the Committee on Rules.

(Speaker in the Chair.)

NAMING ALICIA ANN REED
SWEETHEART OF THE
HOUSE

Mr. Crosthwait offered the following resolution:

H. S. R. No. 54, Naming Alicia Ann Reed Sweetheart of the House. Whereas, It's now the dernier cri That all the sons must Mascots be; The girls, too, must have their part And each is named for our Sweetheart;

We talk of romance and wax poetic While one among us so energetic, The affairs of State keep him busy, The work he's done would make us dizzy;

We sadly note with all this whirl He mentions not his little girl, He mentions not to any man The "fairest daughter in the land";

We know ere this, you're all inquiring What father is it who is so retiring. Can't you guess with that lead? We'll tell you then, it's Otey Reed;

It's therefore resolved by all present here That Alicia Ann Reed who is a dear, Be named our Sweetheart Number One

And then we'll feel our work is done. We'd like to have her picture, too, Upon the block as the others'll do,

Giving her the Number One place Next to the Queens if there's space.

CROSTHWAIT,
REED of Bowie,
STINSON,
HEFLIN,
HARRIS of Dallas,
HANNA,
BLANKENSHIP,
WEATHERFORD,
CARLTON,
MORRIS,
HARTZOG,
BOONE,
GOODMAN,
PHILLIPS.

The resolution was read second time and was adopted.

NAMING GLORIA ANN ROARK
MASCOT OF THE HOUSE

Mr. Sharpe offered the following resolution:

H. S. R. No. 59, Naming Gloria Ann Roark Mascot of the House.

Whereas, We have with us now a proper person for office of Mascot of the House of Representatives of the Forty-seventh Legislature; now, therefore, be it

Resolved, That Gloria Ann, age three, daughter of the Honorable W. W. Roark of Temple, Texas, be hereby officially named by this House as Mascot of the House of Representatives of the Forty-seventh Legislature of the State of Texas; and be it further

Resolved, That the said Mascot have her picture made and placed in the official group of this Body.

SHARPE,
HUGHES.

The resolution was read second time and was adopted.

NAMING MARGRET ANN ARMSTRONG
MASCOT OF
THE HOUSE

Mr. Sharpe offered the following resolution:

H. S. R. No. 60, Naming Margret Ann Armstrong Mascot of the House.

Whereas, The House of Representatives of the 47th Legislature has found a proper young lady to be a Mascot of the House of Representatives in Margret Ann Armstrong, only grandchild of the Honorable W. R. Garland; and

Whereas, The young lady is the daughter of Professor Armstrong of the Chemistry Department of the University of Minnesota, and since both her parents and her grandparent received their education from the State University of Texas, and since it is fitting and proper that the people of the State of Texas should endeavor to cement the bonds of friendship and good feeling between the University of Minnesota and the University of Texas; and therefore be it

Resolved, That the House of Rep-

representatives declare Margret Ann Armstrong to be a Mascot of the House of Representatives of the 47th Legislature, and that her picture be placed on the picture panel with the Members of this Session as a Mascot of the 47th Legislature; and be it further

Resolved, That a copy of this resolution be sent to her and this House now go on record as extending to her our best wishes.

SHARPE,
MOORE.

The resolution was read second time and was adopted.

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House and had read the following message from the Governor:

Executive Office.

Austin, Texas, January 17, 1941.

To the Members of the Forty-seventh Legislature:

I hereby submit to you as an emergency matter for your immediate consideration a bill to amend the taxing provisions of the Texas Unemployment Compensation Act in such a way as to secure Federal approval thereof. It is A bill to be entitled "An Act to amend the subject matter embraced in Section 7, Chapter 482, General and Special Laws of the Forty-fourth Legislature, Third Called Session, as amended by Section 3, Chapter 67, General and Special Laws, Forty-fifth Legislature, Regular Session, as amended by Section 4, Chapter 2, General Laws, Forty-sixth Legislature, Regular Session; providing for determining the amount of contributions by employers and defining certain terms, and providing for the effective date of the Act and for the repeal of all laws and parts of laws in conflict herewith; and declaring an emergency."

The enactment of this amendment to the Texas Unemployment Compensation Act will result in a saving of approximately \$10,000,000 during the year 1941 to the employers of Texas who are paying the unemployment tax.

As you know, the Federal unemployment tax is a tax levied upon every employer of eight or more individuals in the United States and the Texas unemployment tax is a complement thereto. The Federal Act makes provision for crediting against the Federal tax unemployment taxes paid to Texas by Texas employers, and during the last four years employers in Texas have been granted that full credit for the unemployment taxes they have paid this State. Ninety per cent of the amount of the Federal unemployment tax levy, therefore, actually went into the Texas Unemployment Compensation Fund during these years. For example, during the year 1940, two and seven-tenths per cent of an employer's taxable wages were paid to Texas and only three-tenths of one per cent of those same wages were paid to the Federal Government.

At the Regular Session of the 46th Legislature, Section 7 of the Texas Unemployment Compensation Act was amended so as to inaugurate, beginning in January of 1941, an unemployment tax rate based upon the employment record of each individual employer. This amendment was passed so as to take advantage of the provisions of the Federal Tax Act which permitted additional credit against the Federal tax equal to the amount of the savings permitted by a reduced rate under a State unemployment tax law, provided the State law met the standards set by the Federal statute and the Social Security Board. This meant that a Texas employer who had a good employment record could have his tax rate reduced below two and seven-tenths per cent and still obtain credit against his Federal tax the same as if he had paid to the State two and seven-tenths per cent. In other words, he would be given credit for full ninety per cent of the Federal tax levied, even though he actually paid Texas less than that amount.

The Social Security Board refused to approve the Texas amendment since it did not, in their opinion, meet the standards set out by the Federal Act. The Board in their disapproval stated that in order to ob-

tain credit for the reduced rate to employers in this State in the year 1941, the Unemployment Tax Law must be amended in such a way as to permit consideration of the employer's actual experience with unemployment during the years 1938, 1939, and 1940. The Board stated that if the Texas law were amended in this way, they would approve the reduced rates for credit against the Federal tax.

A bill effecting the necessary changes was drafted and submitted to the Social Security Board prior to its being submitted to you. This is that bill. The Board has approved this amendment and has stated that the lower rates provided in this amendment to employers with good records will be approved for credit against the Federal tax beginning in 1941, if the bill is made law. It is equally true that if the bill is not made law at once, Texas employers must continue to pay Federal and State unemployment taxes amounting to three per cent of their pay rolls. Of this three per cent, the Texas employer with the lowest rate under Texas law will pay Texas only one-half of one per cent. He will pay the Federal Government two and one-half per cent. Furthermore, Texas employees out of work will receive the benefit only of the smaller amount because it is the tax collected by Texas alone which is paid into the Unemployment Trust Fund of this State.

Your passage of this legislation as it is written is indispensable to the tax saving which I have mentioned. This is emergency legislation which I urge you to consider as such. Finally, I wish to stress again the urgency of your enacting this particular bill as written. I agree with many of you that probably some changes in the Texas Unemployment Compensation Act other than the one now sought to be effected are necessary, but I point again to the fact that the present bill is designed to effect immediately a lower tax rate for the present year 1941. I feel that the necessity for its speedy enactment justifies my sincere request that no amendments or additions be proposed in either House. I ask that such amendments and additions be reserved for considera-

tion later in this Session in bills designed for that purpose.

Respectfully submitted,
W. LEE O'DANIEL,
Governor of the State of Texas.

TEXT OF BILL SUBMITTED BY GOVERNOR

Following is text of bill as submitted by Governor O'Daniel in the above message:

A BILL

To Be Entitled

An Act to amend the subject matter embraced in Section 7, Chapter 482, General and Special Laws of the Forty-fourth Legislature, Third Called Session, as amended by Section 3, Chapter 67, General and Special Laws, Forty-fifth Legislature, Regular Session, as amended by Section 4, Chapter 2, General Laws, Forty-sixth Legislature, Regular Session; providing for determining the amount of contributions by employers and defining certain terms, and providing for the effective date of the Act and for the repeal of all laws and parts of laws in conflict herewith; and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. That Section 7, Chapter 482, General and Special Laws of the Forty-fourth Legislature, Third Called Session, as amended by Section 3, Chapter 67, General and Special Laws, Forty-fifth Legislature, Regular Session, as amended by Section 4, Chapter 2, General Laws, Forty-sixth Legislature, Regular Session, be amended so as to read as follows:

"CONTRIBUTIONS"

"Sec. 7. (a) Payment: On and after January 1, 1936, contributions shall accrue and become payable by each employer for each calendar year in which he is subject to this Act, with respect to wages payable for employment occurring during such calendar year. Such contributions shall become due and be paid by each employer to the Commission for the fund in accordance with such regulation as the Commission

may prescribe, and shall not be deducted in whole or in part from the wages of individuals in such employer's employ.

"(b) Rate of Contributions: Each employer shall pay contributions equal to the following percentages of wages payable by him with respect to employment:

"(1) Nine-tenths of one ($9/10$ of 1%) per centum with respect to employment during the calendar year 1936;

"(2) One and eight-tenths ($1\frac{8}{10}$) per centum with respect to employment during the calendar year 1937;

"(3) Two and seven-tenths ($2\frac{7}{10}$) per centum with respect to employment during the calendar years 1938, 1939 and 1940.

"(4) With respect to employment after December 31, 1940, the percentage determined pursuant to subsection (c) of this section.

"(c) Experience Rating: (1) For each calendar year commencing after December 31, 1940, the contribution rate of each employer who has had three years of compensation experience shall be determined by the fund's maximum liability for benefits to his employees who have received benefits, modified by the State experience as to average duration of benefit payments, as provided below.

"(2) When in any benefit year beginning after December 31, 1937, an employee is first paid benefits for total or partial unemployment, his wages during his base period shall be termed the employee's benefit wages, and shall be treated for the purposes of this paragraph as though they had been paid in the calendar year in which such first benefit is paid. Benefit wages shall include only the wages available for wage credits earned from employers in a base period. As applied to the calendar year 1938 and the first calendar quarter of 1939 the term 'base period' shall mean the period beginning with the first day of the nine (9) completed calendar quarters immediately preceding the first day of an individual's benefit year and ending with the last day of the next to the last completed calendar quarter immediately preceding the first day of an individual's benefit

year except that where there are not nine (9) completed calendar quarters preceding the first day of an individual's benefit year, 'base period' shall mean the period beginning with the first day of the first completed calendar quarter and ending with the last day of the next to the last completed calendar quarter immediately preceding the first day of an individual's benefit year, and except that the definition of 'base period' contained in this sentence shall be applicable only to 'base period' as used in the computation of an employer's experience rating, in accordance with the provisions of subsection 7 (c) of this section.

"(3) The employer's benefit wages for a given calendar year shall be the total of the benefit wages received from him by all of his employees or former employees who receive their first benefit payment of a given benefit year in such calendar year.

"(4) The benefit wage ratio of each employer shall be a percentage equal to the total of his benefit wages for the most recent three consecutive completed calendar years divided by his total taxable payroll for the same three years on which contributions have been paid to the Commission on or before January 31 of the calendar year with respect to which his benefit wage ratio is determined.

"(5) For any calendar year the total benefits paid from the fund, less all amounts credited to the fund except employers' contributions collected under this section and except interest earned on the fund, shall be termed the 'amount required from employers.' The amount required from employers, divided by the State-wide total of benefit wages of all employers for that calendar year, after adjustments to the nearest multiple of one (1%) per cent shall be termed the 'State experience factor.' The State experience factor for any year shall be determined prior to the due date of the first contribution payment on wages for employment in that year and such determination shall be made upon the basis of figures for the preceding calendar year.

“(6) The contribution rate for each employer for the current year, to be applied to his current payroll

shall be in accordance with the following table based upon the State experience factor and his benefit wage ratio:

When the State

Experience

Factor Is

If the Employer's Benefit Wage Ratio Does Not Exceed:

1 %	50 %	100 %	150 %	200 %	250 %	300 %	350 %
2	25	50	75	100	125	150	175
3	17	33	50	66	83	100	117
4	13	25	38	50	63	75	88
5	10	20	30	40	50	60	70
6	8	17	25	34	42	50	58
7	7	14	21	29	36	43	50
8	6	13	19	25	31	38	44
9	6	11	16	22	28	33	39
10	5	10	15	20	25	30	35
11	5	9	14	18	23	27	32
12	4	8	13	17	21	25	29
13	4	8	12	15	19	23	27
14	4	7	11	14	18	21	25
15	3	7	10	13	17	20	23
16	3	6	9	12	16	19	22
17	3	6	9	12	15	18	21
18	3	6	8	11	14	17	19
19	3	5	8	11	13	16	18
20	3	5	8	10	13	15	18
21	2	5	7	10	12	14	17
22	2	5	7	9	11	14	16
23	2	4	7	9	11	13	15
24	2	4	6	8	10	12	15

The Employer's Contribution Rate Shall Be:

.5 % 1.0 % 1.5 % 2.0 % 2.5 % 3.0 % 3.5 %

“If the employer's benefit wage ratio exceeds the amount in the last column of the table on the line for current year's State experience factor, his contribution rate shall be four (4%) per cent.

“(7) Each employer's rate shall be two and seven-tenths (2 7/10) per centum, except as otherwise provided in this section. No employer's rate shall be less than two and seven-tenths (2 7/10) per centum for any year unless throughout the three consecutive calendar years immediately preceding such year some individual could, if unemployed and eligible, have received benefits based upon wages from such employer.

“(8) For the purposes of this section, benefits shall be deemed to have been paid at the time the claim therefor shall have been certified by the Commission to the State Comptroller.”

Sec. 2. The provisions of this Act shall repeal all parts of Chapter 482, General and Special Laws, Forty-fourth Legislature, Third Called Session, as amended by Chapter 67, General and Special Laws, Forty-fifth Legislature, Regular Session, as amended by Chapter 2, General Laws, Forty-sixth Legislature, Regular Session, in conflict herewith, and all laws or parts of laws in conflict herewith, but shall in no way be construed as forfeiting or waiving any rights of the State of Texas or the Texas Unemployment Compensation Commission, including without limiting the foregoing the right to collect contributions, interest or penalties that have accrued under said Chapter, and the right of prosecution for violating any provision thereof.

Sec. 3. The fact that the employers of this State are now making contributions under the provisions

of Section 7, Chapter 482, General and Special Laws of the Forty-fourth Legislature, Third Called Session, as amended by Section 3, Chapter 67, General and Special Laws, Forty-fifth Legislature, Regular Session, as amended by Section 4, Chapter 2, General Laws, Forty-sixth Legislature, Regular Session, and the fact that the Social Security Board has refused to find that the system of merit rating entitling employers to reduced rates of contributions for good employment records now contained in the Texas Unemployment Compensation Act and as provided for by Chapter 2, General Laws of the State of Texas, Forty-sixth Legislature, Regular Session, meets the standards set up by Section 1602 of the Internal Revenue Code, as amended, and that approval by the Social Security Board of the Texas Law providing for reduced rates of contributions is necessary so as to allow the employers of Texas to take advantage of the provisions of the Federal Social Security Act and the Internal Revenue Code which permit the inauguration of such merit ratings in the calendar year 1941, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and the same is hereby suspended, and this Act shall be in full force and effect from and after the date of its passage, and it is so enacted.

NAMING JAMES FAGAN DICKSON, JR., MASCOT OF THE HOUSE

Mr. Ridgeway offered the following resolution:

H. S. R. No. 62, Naming James Fagan Dickson, Jr., Mascot of the House.

Whereas, We have with us a proper person for office of Mascot of the House of Representatives of the Forty-seventh Legislature; now, therefore, be it

Resolved, That James Fagan Dickson, Jr., son of Hon. Fagan Dickson, Sr., of San Antonio, Texas, be hereby officially named by this House as Mascot of the House of Representatives of the Forty-seventh Legislature of the State of Texas; and be it further

Resolved, That the said Mascot have his picture made and placed in the official group of said Body.

RIDGEWAY,
HOYO.

The resolution was read second time and was adopted.

RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House after giving due notice thereof and their captions having been read severally the following enrolled resolutions:

H. C. R. No. 7, Providing for the Appointment of Certain Committee to Select and Designate a Poet Laureate.

H. C. R. No. 8, In Memory of Hon. George Edward Robinson, Sr.

ADJOURNMENT

On motion of Mr. Harris of Dallas the House at 10:50 o'clock a. m. adjourned until 11 o'clock a. m. tomorrow.

APPENDIX

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, January 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 13, Expressing regret at the death of the Honorable Walter C. Woodward, of Coleman, Texas.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, January 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 12, Inviting the Honorable T. V. Smith to address the Legislature.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

In Memory of
Hon. Jack S. Robinson, Sr.

Mr. Knight offered the following resolution:

H. S. R. No. 51, In Memory of Hon. Jack S. Robinson, Sr.

Whereas, On January 11, 1941, the Honorable Jack S. Robinson, Sr., died at his home at Jewett, Leon County, Texas; and

Whereas, Mr. Robinson was an honored and valuable man in the community and State in which he lived, having been editor and owner of the Jewett Messenger, a weekly newspaper which was established in 1885 and was one of the earliest newspapers in the State; and

Whereas, Mr. Robinson was a man of noble deeds and of great modesty, having recently been invited to appear on the national radio program, Who's Who, but because of his retiring nature and modesty refused to accept the honor; and

Whereas, Mr. Robinson's passing will be a great loss to his community and to the State of Texas; now, therefore, be it

Resolved by the House of Representatives, That the Members thereof regret exceedingly the passing of this worthy man and deeply sympathize with his bereaved family; and be it further

Resolved, That a copy of this resolution be spread upon the House Journal of today in memory of the deceased; and be it further

Resolved, That when the House adjourns today that it do so in respect and in memory of Mr. Robinson; and be it further

Resolved, That the Chief Clerk of the House be instructed to send to the family of the deceased a copy of this resolution.

The resolution was read second time and was unanimously adopted by a rising vote.

In Memory of
Hon. Claude D. Teer

(Mr. Reed of Dallas in the Chair.)

Mr. Hughes offered the following resolution:

H. S. R. No. 53, In Memory of Hon. Claude D. Teer.

Whereas, The House of Representatives has learned that a former Member of this House, the Honorable Claude D. Teer, passed to the Great Beyond on August 28, 1939, in the city of San Antonio, Texas, having attained the age of fifty-seven years; and

Whereas, The Honorable Claude D. Teer was a Member of the Thirty-sixth, Thirty-seventh, Thirty-eighth, Thirty-ninth, and Fortieth Legislatures, as Representative from Williamson County, from 1919 to 1928, inclusive, and in such capacity served this State with great distinction and integrity, and was instrumental in the passage of considerable meritorious legislation; and

Whereas, The Honorable Claude D. Teer in his varied political career had served as Justice of the Peace at Granger, Texas; as Secretary of the Highway Commission in 1928; and finally as a Member of the Board of Control from January, 1929, when he was appointed thereto by Governor Dan Moody, and of which he later became Chairman, until the time of his demise; and

Whereas, In all the above enumerated positions he devoted his entire energies to service of the people; and

Whereas, He was a native of the great State of Arkansas, but was brought to Williamson County, Texas, at the age of four by his parents, and lived therein at the town of Granger, being educated in its public schools until he reached his maturity and adopted Texas for his home; and

Whereas, The Honorable Claude D. Teer was one of those men of whom the poet Holland wrote,

"Tall men, sun crowned,
Who live above the fog
In public duty and private thinking."

This aptly described Claude D. Teer; and

Whereas, Claude D. Teer was a man of unimpeachable honesty, well versed in the art of politics, affable in manner, and a friendly counselor to all; and

Whereas, Texas has lost an eminent statesman, a devoted adherent to the cause of democracy and service of his fellow man, and the masses of the Lone Star State have lost a true friend; and

Whereas, The Honorable Claude D. Teer is survived by his wife, Mrs. Clara Wayman Teer, of Austin; a daughter, Mrs. Anna Faye Peterson, of Austin; his mother, Mrs. J. S. Teer, of Granger; and the following brothers and sisters: Miss Anna and Miss Ethel Teer

and John F. Teer of Granger, Mrs. Coleman Cook of Austin, Mrs. J. T. Dewberry of Tulsa, Oklahoma, Lewis Teer of Belton, and Walter F. Teer of Indianapolis, and two brothers-in-law, Judge James W. Wayman of Galveston and Cullen Wayman of Austin.

Resolved, therefore, That the House of Representatives does declare that it mourns the loss of this splendid citizen and brother; and be it further

Resolved, That this resolution be printed in the House Journal as a testimonial to his memory and for the distinguished service he performed as a public servant for the State of Texas; that a copy of same be mailed to the above mentioned relatives of the deceased Claude D. Teer, and that when the House adjourns for the day it do so in honor of his memory.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Anderson, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McNamara, McMurry, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Reed of Dallas, Ridgeway, Roark, Roberts, Rhodes, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides, Winfree.

On the motion of Mr. Sharpe the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted by a rising vote.

In Memory of
Robert Edward Lee
and
Thomas Jonathon Jackson

Mr. Winfree offered the following resolution:

H. S. R. No. 56, In Memory of Robert Edward Lee and Thomas Jonathon Jackson.

Whereas, On January 19, 1807, One Robert Edward Lee was born in the old Mother State of the South, Virginia. He became the most illustrious of that illustrious family of the Lees of Virginia. Robert E. Lee was General of the Confederacy, the outstanding soldier, statesman, schoolman, and General of his time. He filled a niche in the American life and that of the South that is beyond comparison. A truer, nobler heart, more loving, and more loyal, never beat in the breast of man.

Whereas, On January 21, 1842, another native son of Virginia was born, Thomas Jonathon Jackson. He, like the illustrious Lee, developed under the chivalry of Virginia, became a soldier and rose to the rank of a General in the Confederate Army, whose quality as a soldier and a gentleman was equal to any outstanding figure in the military life of our country and whose military tactics stand second to none in the world.

Be it resolved, That the House of Representatives in Session commemorate and observe and dedicate to the memory of these two outstanding Southern and American heroes and do, hereby, pay tribute to their memory; and

Be it further resolved, That a copy of this resolution be put on the memorial pages of the House Journal this day, and that the Chief Clerk of the House of Representatives send a copy to the Texas Division of the United Daughters of the Confederacy, and to the press for observance.

Signed—Winfree, Huddleston, Montgomery, Kinard, White, Bruhl, Bundy, Dove, Harris of Dallas, Smith of Atascosa, Leyendecker, Roberts, Isaacks, Hughes, Roark, Hartzog, Files, Allen, Howington, Sharpe, Evans, Chambers, Voigt, Halsey, Bullock, Rampy, Parker, Hanna, Clark, Markle, Humphrey, Simpson, Gandy, Walters, Stinson, McLellan, Shell, Klingeman, Boone, Love, Phillips, Reed of Bowie, Reed of Dallas, Burnaman, Nicholson, Spangler, Morse.

The resolution was read second time and was unanimously adopted by a rising vote.

In Memory of Hon. Louis Lankford

Mr. Morris offered the following resolution:

H. S. R. No. 57, In Memory of Hon. Louis Lankford.

Whereas, On November 19, 1940, the Divine Creator called Louis Lankford to his Heavenly award;

Whereas, Louis Lankford was an outstanding Member of the Forty-fifth Legislature, representing Hunt and Rains Counties;

Whereas, He was a profound student of government;

Whereas, He also served his country during the Spanish-American War;

Whereas, For twenty-five years he exemplified his fine character in the schoolroom as a teacher;

Whereas, He was a firm believer in the teachings of Christ; therefore, be it

Resolved, That we deeply regret his untimely passing and extend our sincere sympathy to the bereaved family; be it further

Resolved, That a copy of this resolution be spread on the House Journal today in memory of the deceased, and when the Legislature adjourns today, we do so in respect and memory of Louis Lankford; and be it further

Resolved, That the Chief Clerk be instructed to forward a copy of this resolution to the family of Louis Lankford.

MORRIS,
CARLTON.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Anderson, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McNamara, McMurry, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Reed of Dallas, Ridgeway, Roark, Roberts, Rhodes, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides, Winfree.

On the motion of Mr. Bell the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted by a rising vote.

In Memory of

Mr. Rudolph J. Woellert

Mr. Klingeman offered the following resolution:

H. S. R. No. 58, In Memory of Mr. Rudolph J. Woellert.

Whereas, On the 28th day of December, 1940, the Almighty, in His infinite wisdom, called home from our midst Mr. Rudolph J. Woellert of Poth, Texas, a prominent and well beloved citizen of Southwest Texas; and

Whereas, Mr. Woellert had served his State and district in many valuable ways, both in the public and private capacity, having organized the First National Bank of Poth, serving on the board of directors for many years, and at the time of his death being the president of said institution; and

Whereas, His memory is revered by his community and his kindness and beneficial work will remain forever in the minds of those who love him and others to whom his friendship was unexcelled; and

Whereas, A life of such distinguished service and devout Christianity deserves recognition and tribute by his fellow men;

Therefore, be it resolved by the House of Representatives, That the members thereof deeply regret the passing of this noble and worthy character, and that we extend our sincere sympathy to the surviving members of his family; and be it further

Resolved, That when the House adjourns today, that it does so in memory of Mr. Rudolph J. Woellert, that a page of the House Journal of today be dedicated to his memory, and that the Chief Clerk of the House of Representatives be instructed to send a copy of this resolution to his surviving wife, Mrs. Mary Woellert of Poth, Texas.

The resolution was read second time and was unanimously adopted by a rising vote.

In Memory of
Hon. Edgar L. Bradford, Jr.

Mr. McAlister offered the following resolution:

H. S. R. No. 61, In Memory of the Honorable Edgar L. Bradford, Jr.

Whereas, On the 20th day of July, 1940 A. D., the Honorable Edgar L. Bradford, Jr., of Fort Worth, a Member of the House of Representatives of the 46th Legislature, departed this life; and

Whereas, He had won the esteem, respect, and love of all Members of the 46th Legislature, as well as the respect and love of all employees of the House of Representatives, and all associated therewith; and

Whereas, He rendered a faithful service as a Member of the House of Representatives, and served with distinction and credit in that Body during the 46th Session; and

Whereas, In the passing of this young, able, and outstanding young man of Texas his community and State have lost a valued servant and loyal citizen; therefore, be it

Resolved, That the House of Representatives and the State of Texas take solemn notice of the passing of this true and outstanding citizen, and extend its sympathy to the bereaved family, and that a copy of this resolution be spread on the House Journal and a page of same be dedicated to his memory; and be it further

Resolved, That the Chief Clerk of the House send to Mrs. Martha Bradford, wife of the deceased, a copy of this resolution under the seal of the House of Representatives; and be it further

Resolved, That the Chief Clerk of the House send to Mr. Edgar L. Bradford, Sr., and Miss Neva Bradford of Fort Worth, Texas, father and sister of the deceased, a copy of the resolution under the seal of the House of Representatives; and be it further

Resolved, That when the House adjourns today, it do so in respect to the memory of this illustrious and outstanding young man.

McALISTER,
GOODMAN,
BOONE,
LOVE,
SIMPSON,
TAYLOR,
CLARK.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Anderson, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Brawner, Bray,

Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Cleveland, Coker, Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddelston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Lowry, Lucas, Lyle, McCann, McDonald, McGlasson, McLellan, McNamara, McMurry, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Reed of Dallas, Ridgeway, Roark, Roberts, Rhodes, Sallas, Senterfitt, Sharpe, Shell, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides, Winfree.

On the motion of Mr. Ferguson the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted by a rising vote.

In Memory of
Hon. George Edward Robinson, Sr.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 2, In Memory of Hon. George Edward Robinson, Sr.

Whereas, On the 23rd day of October, A. D., 1940, the Great Architect of the Universe called to rest from his earthly labors, the Honorable George Edward Robinson, Sr., of Galveston, Texas, the father of the Honorable Theodore R. Robinson, a member of the House of Representatives during the 46th Session; and

Whereas, The said George Edward Robinson, Sr., lived a long, useful and active life; and

Whereas, The said George Edward Robinson, Sr., served the City of Galveston, Texas, as a City Commissioner with credit to himself and honor to his city; and

Whereas, The said George Edward Robinson, Sr., always took an active and interested part in all civic affairs looking to the betterment of his city, county, State and Country; and

Whereas, The said George Edward Robinson, Sr., was a man possessed of a lovable and admirable personality, and was possessed of splendid traits of character; and

Whereas, In the passing of this lovable and distinguished gentleman his community has suffered the loss of a beautiful and shining character, a faithful public servant, and a true, honorable and loyal citizen and friend; now, therefore, be it

Resolved, That the Senate of Texas, the House of Representatives concurring, acknowledge with deep regret the passing of this fine gentleman and citizen of Texas, and that a copy of this resolution be spread upon the memorial pages of the Senate and House of Representatives of the day, as a token of the love and esteem in which was held this lovable and fine man; and be it further

Resolved, That the Secretary of the Senate, and the Chief Clerk of the House of Representatives send the family of deceased a copy of this resolution under their respective seals and that when the Senate and House of Representatives adjourn today, they do so in silent tribute to a man whose name shall live long in the affection of his friends and sorrowing family.

The resolution was read second time and was unanimously adopted by a rising vote.